

AMENDED IN SENATE JUNE 30, 1997
AMENDED IN ASSEMBLY APRIL 17, 1997
AMENDED IN ASSEMBLY APRIL 14, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1565

Introduced by Committee on Budget (Assembly Members Ducheny (Chair), Miller (Vice Chair), Bowen, Brown, Cardenas, Davis, Escutia, Figueroa, Gallegos, Keeley, Knox, Lempert, Scott, Strom-Martin, Torlakson, Villaraigosa, and Wright)

March 13, 1997

An act to relating to local agency costs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1565, as amended, Committee on Budget. Local costs: claims.

Existing law requires the governing board of each school district to adopt a policy authorizing teachers to provide that the parent or guardian of a pupil, who has been suspended by a teacher for specified reasons, attend a portion of a schoolday in his or her child's classroom.

Existing law provides interagency responsibilities for providing services to children with exceptional needs, including requiring counties to provide mental health

services when required in a pupil's individualized education program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would appropriate \$940,000 from the ~~Proposition 98 Reversion Account of the~~ General Fund to the Controller for the payment of claims from school districts and county offices of education seeking reimbursement for state-mandated local costs incurred pursuant to the provision requiring the governing board of each school district to adopt a policy authorizing teachers to provide that a parent or guardian of a pupil, who has been suspended by a teacher, attend a portion of a schoolday in his or her child's classroom.

This bill would appropriate \$8,443,000 from the General Fund to the Controller for the payment of claims from counties seeking reimbursement of state-mandated local costs incurred pursuant to the provisions pertaining to interagency responsibilities for providing services to children with exceptional needs.

This bill would appropriate \$7,400,000 from the General Fund to the Controller for payment of claims from school districts and county offices of education seeking reimbursement of the state-mandated local costs incurred pursuant to provisions pertaining to annual parent notification.

This bill would appropriate \$3,488,000 from the General Fund to the Controller for the payment of claims from school districts and county offices of education seeking reimbursement of state-mandated local costs incurred pursuant to provisions pertaining to interdistrict pupil transfers.

This bill would appropriate \$60,179,223 from the General Fund to the Controller for the payment of claims, as scheduled, for reimbursement of state-mandated local costs



for various other programs and responsibilities performed by local government agencies.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The sum of nine hundred forty
2 thousand dollars (\$940,000) is hereby appropriated from
3 the ~~Proposition 98 Reversion Account of the General~~
4 ~~Fund to General Fund~~ to the Controller for the payment
5 of claims from school districts and county offices of
6 education seeking reimbursement of state-mandated
7 local costs incurred pursuant to Section 48900.1 of the
8 Education Code, Chapter 1284, Statutes of 1988, and
9 Chapter 213, Statutes of 1989 (Pupil Suspensions: Parent
10 Classroom Visits), for costs incurred from July 1, 1993, to
11 June 30, 1998, inclusive.

12 (b) *For the purpose of making the computations*
13 *required by Section 8 of Article XVI of the California*
14 *Constitution, the appropriation made by this section shall*
15 *be deemed to be "General Fund revenues appropriated*
16 *to school districts," as defined in subdivision (c) of Section*
17 *41202 of the Education Code, for the 1996-97 fiscal year,*
18 *and included within the "total allocations to school*
19 *districts and community college districts from General*
20 *Fund proceeds of taxes appropriated pursuant to Article*
21 *XIII B," as defined in subdivision (e) of Section 41202 of*
22 *the Education Code, for the 1996-97 fiscal year.*

23 SEC. 2. The sum of eight million four hundred
24 thirty-three thousand dollars (\$8,433,000) is hereby
25 appropriated from the General Fund to the Controller
26 for the payment of claims from counties seeking
27 reimbursement of state-mandated local costs incurred
28 pursuant to Chapter 26.5 (commencing with Section
29 7570) of Division 7 of Title 1 of the Government Code,
30 Chapter 1747, ~~Statutes of 1984 of the Statutes of 1984,~~ and
31 Chapter 1274 of the Statutes of 1985 (Services to



1 Handicapped Children), for costs incurred from July 1,
2 1994, to June 30, 1998, inclusive.

3 SEC. 3. (a) *The sum of seven million four hundred*
4 *thousand dollars (\$7,400,000) is hereby appropriated*
5 *from the General Fund to the Controller for the payment*
6 *of claims from school districts and county offices of*
7 *education seeking reimbursement of state-mandated*
8 *local costs incurred pursuant to Sections 35291, 48900.1,*
9 *and 58501, and subdivisions (a), (b), (e), (f), and (g) of*
10 *Section 48980, of the Education Code, as added and*
11 *amended by Chapter 448 of the Statutes of 1975, Chapter*
12 *36 of the Statutes of 1977, Chapter 965 of the Statutes of*
13 *1977, Chapter 236 of the Statutes of 1979, Chapter 975 of*
14 *the Statutes of 1980, Chapter 469 of the Statutes of 1981,*
15 *Chapter 459 of the Statutes of 1985, Chapter 87 of the*
16 *Statutes of 1986, Chapter 97 of the Statutes of 1986,*
17 *Chapter 1452 of the Statutes of 1987, Chapter 65 of the*
18 *Statutes of 1988, Chapter 1284 of the Statutes of 1988,*
19 *Chapter 10 of the Statutes of 1990, Chapter 403 of the*
20 *Statutes of 1990, Chapter 906 of the Statutes of 1992, and*
21 *Chapter 1296 of the Statutes of 1993 (Annual Parent*
22 *Notification), for costs incurred from July 1, 1992, to June*
23 *30, 1998, inclusive.*

24 (b) *For the purpose of making the computations*
25 *required by Section 8 of Article XVI of the California*
26 *Constitution, of the appropriation made by this section*
27 *the sum of four million five hundred twenty thousand*
28 *dollars (\$4,520,000) shall be deemed to be "General Fund*
29 *revenues appropriated for school districts," as defined in*
30 *subdivision (c) of Section 41202 of the Education Code,*
31 *for the 1996–97 fiscal year; and included within the "total*
32 *allocations to school districts and community college*
33 *districts from General Fund proceeds fo taxes*
34 *appropriated pursuant to Article XIII B," as defined in*
35 *subdivision (e) of Section 41202 of the Education Code,*
36 *for the 1996–97 fiscal year.*

37 (c) *For the purpose of making the computations*
38 *required by Section 8 of Article XVI of the California*
39 *Constitution, of the appropriation made by this section*
40 *the sum of two million eight hundred eighty thousand*



1 dollars (\$2,880,000) shall be deemed to be “General Fund
2 revenues appropriated for school districts,” as defined in
3 subdivision (c) of Section 41202 of the Education Code,
4 for the 1997–98 fiscal year, and included within the “total
5 allocations to school districts and community college
6 districts from General Fund proceeds of taxes
7 appropriated pursuant to Article XIII B,” as defined in
8 subdivision (e) of Section 41202 of the Education Code,
9 for the 1997–98 fiscal year.

10 SEC. 4. (a) The sum of three million four hundred
11 eighty-eight thousand dollars (\$3,488,000) is hereby
12 appropriated from the General Fund to the Controller
13 for the payment of claims from school districts and county
14 offices of education seeking reimbursement of
15 state-mandated costs incurred pursuant to Sections
16 48209.1, 48209.7, 48209.9, 48209.10, 48209.13, and 48209.14
17 of the Education Code, as added and amended by
18 Chapter 160 of the Statutes of 1993 and Chapter 1262 of
19 the Statutes of 1994 (School District of Choice: Transfers
20 and Appeals), for costs incurred from January 1, 1994, to
21 June 30, 1998, inclusive.

22 (b) For the purpose of making the computations
23 required by Section 8 of Article XVI of the California
24 Constitution, the appropriation made by this section shall
25 be deemed to be “General Fund revenues appropriated
26 for school districts,” as defined in subdivision (c) of
27 Section 41202 of the Education Code, for the 1996-97 fiscal
28 year, and included within the “total allocations to school
29 districts and community college districts from General
30 Fund proceeds of taxes appropriated pursuant to Article
31 XIII B,” as defined in subdivision (e) of Section 41202 of
32 the Education Code, for the 1996-97 fiscal year.

33 SEC. 5. The sum of sixty million one hundred
34 seventy-nine thousand two hundred twenty-three dollars
35 (\$60,179,223) is hereby appropriated from the General
36 Fund to the Controller for the payment of claims for
37 reimbursement of state-mandated local costs, according
38 to the following schedule:

39 (a) The sum of twenty million three hundred sixty
40 thousand eight hundred twenty-five dollars (\$20,360,825)



1 to cover deficiencies in prior appropriations for
 2 reimbursement of costs incurred in the 1994–95 to
 3 1996–97 fiscal years, inclusive, pursuant to Chapter 1399
 4 of the Statutes of 1976 (Custody of Minors/Child
 5 Abduction and Recovery).

6 (b) The sum of one hundred twenty-six thousand four
 7 hundred fifty-seven dollars (\$126,457) to cover
 8 deficiencies in prior appropriations for reimbursement of
 9 costs incurred in the 1996–97 fiscal year pursuant to
 10 Chapter 337 of the Statutes of 1990 (Stolen Vehicle
 11 Notification).

12 (c) The sum of six hundred forty-nine thousand six
 13 hundred six dollars (\$649,606) to cover deficiencies in
 14 prior appropriations for reimbursement of costs incurred
 15 in the 1996–97 fiscal year pursuant to Chapter 1105 of the
 16 Statutes of 1992 (Misdemeanors: Booking and
 17 Fingerprinting).

18 (d) The sum of six million three hundred ten thousand
 19 eight hundred ninety-six dollars (\$6,310,896) to cover
 20 deficiencies in prior appropriations for reimbursement of
 21 costs incurred in the 1994–95 to 1996–97 fiscal years,
 22 inclusive, pursuant to Chapter 77 of the Statutes of 1978
 23 (Absentee Ballots).

24 (e) The sum of eleven million three hundred
 25 thirty-five thousand three hundred forty-nine dollars
 26 (\$11,335,349) to cover deficiencies in prior
 27 appropriations for reimbursement of costs incurred in the
 28 1994–95 to 1996–97 fiscal years, inclusive, pursuant to
 29 Chapter 1490 of the Statutes of 1984 (Business Tax
 30 Reporting Requirements).

31 (f) The sum of two hundred eighty-five thousand
 32 eighty-nine dollars (\$285,089) to cover deficiencies in
 33 prior appropriations for reimbursement of costs incurred
 34 in the 1996–97 fiscal year, pursuant to Chapter 268 of the
 35 Statutes of 1991 (SIDS Contacts by Local Health
 36 Officers).

37 (g) The sum of forty-six thousand two hundred
 38 thirty-seven dollars (\$46,237) to cover deficiencies in
 39 prior appropriations for reimbursement of costs incurred



1 *in the 1995–96 and 1996–97 fiscal years, pursuant to*
2 *Chapter 1304 of the Statutes of 1980 (Conservatorships).*

3 *(h) The sum of ten thousand six hundred fifty-four*
4 *dollars (\$10,654) to cover deficiencies in prior*
5 *appropriations for reimbursement of costs incurred in the*
6 *1994–95 and 1995–96 fiscal years, pursuant to Chapter 644*
7 *of the Statutes of 1980 (Judicial Proceeding for Mentally*
8 *Ill).*

9 *(i) The sum of thirteen thousand seven hundred*
10 *sixty-four dollars (\$13,764) to cover deficiencies in prior*
11 *appropriations for reimbursement of costs incurred in the*
12 *1994–95 and 1995–96 fiscal years, pursuant to Chapter*
13 *1036 of the Statutes of 1978 (Mentally Disordered Sex*
14 *Offenders Recommendations).*

15 *(j) The sum of ten million seven hundred twelve*
16 *thousand nine hundred fifty dollars (\$10,712,950) to cover*
17 *deficiencies in prior appropriations for reimbursement of*
18 *costs incurred in the 1994–95 and 1995–96 fiscal years,*
19 *pursuant to Chapter 1747 of the Statutes of 1984 (Services*
20 *to Handicapped Children).*

21 *(k) The sum of four million two hundred ten thousand*
22 *eight hundred eighty-four dollars (\$4,210,884) to cover*
23 *deficiencies in prior appropriations for reimbursement of*
24 *costs incurred in the 1994–95 and 1995–96 fiscal years,*
25 *pursuant to Chapter 913 of the Statutes of 1979 (Domestic*
26 *Violence Diversion).*

27 *(l) The sum of six thousand five hundred twenty-four*
28 *dollars (\$6,524) to cover deficiencies in prior*
29 *appropriations for reimbursement of costs incurred in the*
30 *1996–97 fiscal year pursuant to Chapter 221 of the Statutes*
31 *of 1993 (Domestic Violence Treatment Program*
32 *Approvals).*

33 *(m) The sum of twenty-three thousand six hundred*
34 *fifty-one dollars (\$23,651) to cover deficiencies in prior*
35 *appropriations for reimbursement of costs incurred in the*
36 *1995–96 fiscal year pursuant to Chapter 1568 of the*
37 *Statutes of 1982 (Firefighters' Cancer Presumption).*

38 *(n) The sum of one million six hundred thirty-six*
39 *thousand nine hundred ninety dollars (\$1,636,990) to*
40 *cover deficiencies in prior appropriations for*

1 reimbursement of costs incurred in the 1994-95 to
2 1996-97 fiscal years, inclusive, pursuant to Chapter 486 of
3 the Statutes of 1975 (*Test Claims and Reimbursement*
4 *Claims*).

5 (o) The sum of four million three hundred eighty-six
6 thousand five hundred eighty-two dollars (\$4,386,582) to
7 cover deficiencies in prior appropriations for
8 reimbursement of costs incurred in the 1994-95 to
9 1996-97 fiscal years, inclusive, pursuant to Chapter 641 of
10 the Statutes of 1986 (*Open Meetings Act Notices*).

11 (p) The sum of sixty-two thousand seven hundred
12 sixty-five dollars (\$62,765) to cover deficiencies in prior
13 appropriations for reimbursement of costs incurred in the
14 1996-97 fiscal year pursuant to Chapter 999 of the Statutes
15 of 1991 (*Rape Victim Counseling Center Notices*).

16 SEC. 6. This act is an urgency statute necessary for the
17 immediate preservation of the public peace, health, or
18 safety within the meaning of Article IV of the
19 Constitution and shall go into immediate effect. The facts
20 constituting the necessity are:

21 ~~In order to settle claims by school districts, county~~
22 ~~offices of education, and counties against the state for~~
23 ~~mandated costs associated with implementing Section~~
24 ~~48900.1 of the Education Code and Chapter 26.5~~
25 ~~(commencing with Section 7570) of Division 7 of Title 1~~
26 ~~of the Government Code, and to end hardship to school~~
27 ~~districts, county offices of education, and counties, it is~~

28 *In order to settle claims by school districts and local*
29 *government agencies against the state for mandated costs*
30 *associated with implementing designated provisions of*
31 *law, and to end hardship to those school districts and local*
32 *government agencies, it is necessary for this act to take*
33 *effect immediately.*

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